

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

MAR 12 2014

UNITED STATES OF AMERICA

David J. Bradley, Clerk

V.

Jose Pastor Alvarado

A206 626 201 YOB: 1994
United States*Principal*

CRIMINAL COMPLAINT

Case Number:

M-14-0490-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 10, 2014 in Starr County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Marvin Romario Hernandez-Lopez, citizen of Guatemala, and Vicente Alberto Rodriguez-Fuentes, citizen of Honduras, and twelve (12) other undocumented aliens, for a total of fourteen (14) who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport, by foot, said aliens in furtherance of such violation of law within the United States, that is, from a location near Rio Grande City, Texas to the point of arrest near Rio Grande City, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONYI further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On March 10, 2014, Border Patrol Agent A. Williams observed several subjects running north in an open field that is located near the Rio Grande River in Rio Grande City, Texas. Agent Williams apprehended fifteen individuals and conducted an immigration inspection. Fourteen of them admitted to being in the United States illegally, but one person, later identified as Jose Pastor ALVARADO, stated that he was a United States Citizen, but that he did cross the Rio Grande River illegally. He stated that he entered the United States illegally because he thought that there was a warrant for his arrest out of Harris County, Texas.

Continued on the attached sheet and made a part of this complaint:

 Yes No



Signature of Complainant



Sworn to before me and subscribed in my presence,

March 12, 2014

Date

8:44am

Derek Conrow Senior Patrol Agent

Printed Name of Complainant

McAllen, Texas

City and State



Signature of Judicial Officer

Peter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-14-0490 -M

RE: Jose Pastor Alvarado

A206 626 201

CONTINUATION:

Upon questioning the fourteen undocumented aliens regarding the arrangements they made to enter the United States, two individuals came forward and pointed out ALVARADO as the foot-guide for their group.

PRINCIPLE STATEMENT:

Jose Pastor ALVARADO was read his rights. He stated that he understood his rights and was willing to provide a statement without the presence of an attorney.

When confronted with the claim that he was the guide for the group, ALVARADO stated that he met up the group of undocumented aliens on the United States side of the Rio Grande River on the riverbank. ALVARADO said the man who brought the group across the river, showed him the route he should follow on a map, and where he was going to deliver the group. According to ALVARADO, he told the group to follow him, at that a black four-door Chevrolet pick-up was going to pick them up. Additionally, he stated that he was going to be paid \$400 to guide the undocumented aliens.

MATERIAL WITNESS STATEMENTS:

Both material witnesses were read their Miranda Rights. Both stated that they understood their rights and were willing to provide statements without the presence of an attorney.

1. Marvin Romario Hernandez-Lopez stated that he paid approximately 55,000 Quetzales to an unknown smuggler to arrange his illegal entry into the United States. Hernandez stated once they crossed the Rio Grande River, the guide was waiting for them on the United States' side. ALVARADO then told the group to follow him to the top, and that someone was going to pick them up. Hernandez stated that it took about ten minutes from the time they crossed the river to the time he was arrested by Border Patrol. Hernandez was able to identify Jose Pastor ALVARADO in a photo line-up as the foot-guide.
2. Vicente Alberto, Rodriguez-Fuentes stated that his sister made his smuggling arrangements with an unknown smuggler. He stated that his sister paid about \$800.00 USD and was going to pay another \$2,700.00 USD upon arrival to his final location. Rodriguez stated upon illegally crossing the Rio Grande River, he met ALVARADO, who was waiting on the United States' side of the river. ALVARADO told them to follow him to the top, and that someone was going to pick them up. Rodriguez was able to identify ALVARADO in a photo line-up as the foot guide that he met on the riverbank.